

TRANSFORMATION OF THE SUBJECT OF THE ADMINISTRATIVE LAW

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- Among other legal sciences administrative law is the branch that the most has been subjected to transformation, radical revisions of postulates, numerous changes of approaches defining conceptual bases. Determination of the subject of the administrative law due to realities of contemporary state building process has to become an important step of renovation some of administrative institutions.

- Changing the existing conditions and reforming the branch of administrative law may be possible only considering progressive achievements of the previous scientific researches. In history of establishment of the administrative law and accordingly its subject it is necessary to differentiate the main stages:

1. Foundation of the science called “Kameralistyka”
2. Its transformation into police law
3. Development of the administrative law
4. New conception of the science

- The scientists, who research the phenomena of the subject of the administrative law, don’t limit themselves enrolling to it only management relations.

- Exploring the place of management component in the structure of the administrative law professor V.B Averianov noticed that it has 2 components- management and “non management”, what can be called “dichotomy of the administrative law”.

- Integral feature of the components of administrative laws is its public focus since the administrative law regulates public relations content of which is public interest.

- “Non management” component is made up of mixed group relations which are divided into “public-service relations”, that in fact are aimed at “service” interest of citizens and other private persons and also the 2nd component related to administrative jurisdiction.

- Many researchers retain leading positions of management relations that means nothing else except preservation traditions of the soviet administrative science. Area of administrative regulations without any reasonable grounds was proclaimed as “management” even in part when administrative law regulates relations between management and citizens “it determines rights and obligations of citizens but only concerning management or “sphere of management “.

- Any actions of executive organs or self-governmental organs can not be reduced only to management because the required role of these organs on realization a number of the citizens’ rights or application means of coercion don’t indicate the presence of management.

- Retaining its public nature coercion as a manifestation of power stops to

be the main determinative feature of public management, it must be oriented to public service.

- In conclusion, modern doctrine of administrative law some emphasis in public-administrative relations are replaced in favor of needs and interest of an ordinary person, whose legal status significantly increases.

- Additionally, the theory of public administration is implemented in modern legal system as methodological basis of the administrative law. Today scientific understanding and further operation on the theory of public administration are the basic directions in innovation of administrative law of Ukraine, an important ground its transformation into modern branch of European law.

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LEGAL PROTECTION OF THE SUBSOIL

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A 'Mineral Resource' is a concentration or occurrence of material of intrinsic economic interest in or on the earth's crust in such form, quality and quantity that there are reasonable prospects for eventual economic extraction.

The subsoil is a layer of earth beneath the topsoil (or bottom of the water reservoirs) containing mineral resources and accessible for geological survey, exploration and production. Legal entities and individuals may be granted special permits for subsoil use (the “special permits”) which entitle their holders to carry out exploration and production of the mineral resources within the established boundaries of the subsoil plot.

The subsoil is the exclusive property of the people of Ukraine and are provided only for use. Users of the subsoil can be enterprises, institutions, organizations, citizens of Ukraine and foreigners and stateless persons, foreign legal entities.